

STONY POINT TOWN BOARD MEETING – November 9, 2016

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, November 9, 2016 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan called the meeting to order and led the group in the Pledge of Allegiance.

Deputy Town Clerk Barbara Oyer called the following roll:

PRESENT:	Mr. Thomas Basile	Councilman
	Mr. Karl Javenes	Councilman
	Mr. Michael Puccio	Councilman
	Mr. James Monaghan	Supervisor
	Mr. James White	Councilman

ABSENT: None

PUBLIC INPUT - NONE

PURCHASE ORDER REQUEST

A motion was made by Councilman White, seconded by Councilman Javenes and **carried** by a voice vote of all board members present to approve the following purchase orders:

Golf Course:

PO#2924	Metro Turf Specialties	\$33,300.00
PO#2925	Terre & Co.	\$25,385.00
PO#2926	National Lawn Sprinkler, Inc.	\$1,450.00
PO#2927	Pocono Turf	\$27,339.00

Buildings & Grounds:

PO#2933	Cardiac Life Products	\$1,883.70
---------	-----------------------	------------

AUDIT OF BILLS

Barbara Oyer, Deputy Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman White, seconded by Councilman Javenes and **carried** by a voice vote of all board members present to approve the following purchase orders:

Contractual General – October 31, 2016

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	1166-1198	\$ 326,725.63
Highway	370-377	\$ 29,164.81
Sewer	333-343	\$ 17,779.61
<u>Special Districts</u>		
Enterprise Fund	392-403	\$ 33,279.16
Street Lighting	10-10	\$ 25,483.33
<u>General – November 9, 2016</u>		
General	1199-1258	\$ 80,868.02
Highway	378-403	\$ 89,190.35
Sewer	344-355	\$ 6,079.25
<u>Special Districts</u>		
Ambulance	28-28	\$ 27,893.00
Enterprise Fund	404-424	\$ 9,443.67
Solid Waste	16-16	\$ 1,418.92

MINUTES - A motion was made by Supervisor Monaghan, seconded by Councilman White and **carried** by a voice vote of those board members present with Councilman Basile abstaining, to approve the minutes of October 25, 2016.

CORRESPONDENCE - None

SUPERVISOR'S REPORT

Supervisor Monaghan reported as follows:

- Halloween Spooktacular sponsored by the Recreation Dept at Kirkbride Hall on October 28th was a great success. Kudos to all who worked so hard to make this a success. A special thanks to Karenanne Nigro and Jared Stalter and all the volunteers who made this event so special.
- Town Hall will be closed on Friday November 11th for Veterans Day, and tonight we will be passing a resolution that all Veterans will be able to use our Town Parks with their Veteran's ID.

AMBULANCE CORP. REPORT

Corp President, Kathy Leroy read the following report:

September 2016

Cash on Hand Beginning of Month \$414,557

Income

Donations \$ 1,450

Interest \$ 9

Net Rental \$ 1,000

Service Receipts \$ 48,731

Total Monthly Deposits \$ 51,190

Disbursements

Building Maintenance \$ 3,747

General Administration \$ 1,850

Insurance \$ 11,100

Mortgage \$ 28,887

Operating Expenses \$ 11,495

Total Monthly Disbursements \$ 57,079

Cash on Hand End of Month \$408,668

POLICE DEPARTMENT REPORT/BUSINESS

Chief Moore read the following report:

Police Department Report for the Month of October 2016

Number of calls for service: 828

Number of reported accidents: 29

Number of arrests: 28

(2) Felonies (22) Misdemeanors (4) Violations

Fuel usage: 1,200 gallons

Sum total of all traffic enforcement action: 142

Number of Youth Officer sponsored events: 7

Number of child safety seat installations: 7

Number of commercial vehicle enforcement details: 1

Number of traffic/special enforcement details:

Number of training hours: 72 hrs

Total fees collected: \$140.00

(Foil \$0, Prints \$80.00, and Reports \$60.00)

Miscellaneous:

Youth events: Pal Meeting, 4 NRYPA Sessions, Farley School Assembly on Cigarettes/Halloween Safety, Participated in Town Halloween Event and we continued to conduct regular checks of the schools.

Chief Moore addressed the board regarding the following matters:

- **Chief Moore's Time Record**

A motion was made by Councilman Basile, seconded by Supervisor Monaghan and **carried** by a voice vote of all board members present to approve Chief Moore's time record for the month of October 2016 as presented.

- **Overtime and Sick Leave Reports**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **carried** by a voice vote of all board members present to approve the overtime and sick leave reports as presented for the month of October 2016.

Golf Court Report

The following report was presented for October 2016:

- Green Fees \$ 180,809.39
- ID Cards \$ 0.00
- Misc. Golf \$ 320.00
- Merchandise \$ 10,175.57
- Range Fees \$ 6,500.00
- Club Rental \$ 645.80
- Total \$ 198,350.39

DEPARTMENTAL REPORTS

Joan Skinner, Town Clerk offered the following reports for the record:

Architectural Review Board

From: 10/01/2016 To: 10/31/2016

Applications Received	
Solar Panels	6
Applications Approved	
Solar Panels	3
Applications Pending	3
Fees Collected:	\$ 600.00
Money in Lieu of Land	\$ 0.00

Building & Zoning Department

October 2016

Applications Received	32
Applications Returned/Withdrawn	0
Applications Denied	0
Building & Blasting Permits Issued	26
Applications Pending	24
Certificate of Occupancy	7
Certificate of Compliance	6
Fees Collected	\$14,705.00

Fire Inspector

October 2016

	Month	Total
Inspections Performed	10	252
Field Correction Issued	5	183
Violations Issued	1	2
Violations Outstanding	0	0
Permits Issued	0	0
Requests by Police Dept.	1	10
Requests by Fire Dept.	5	58
Fires Investigated	1	4

Planning Board

From: 10/01/2016 To: 10/31/2016

Applications Received	
Informal Discussions	2
Site Plan	1

Applications Approved	0
Applications Pending	
General Category	2
Informal Discussion	3
Site Plan	6
Sub-division Minor	1
Fees Collected:	\$1,640.00
Money in Lieu of Land	\$1,500.00

Submitted by the Planning Board Clerk

Sewer Department

October 2016

Overtime Hours	
Sunday	28 hrs.
Saturday	8 hrs.
Holiday	8 hrs.
Total:	44 hrs.
Monthly Flow	
Plant	18,068,700 gallons
Kay Fries	688,000 gallons
Fuel Usage	203.3 gallons
Total to Sludge Compost Facility	52 Cu. Yds.
Solids	20.4%
Screenings	68.47 Cu. Ft.
Septage	5,200 Gals.

Zoning Board of Appeals

10/1/2016 to 10/31/2016

Applications Received	0
Applications Returned/Withdrawn	0
Applications Closed	0
Applications Pending	0
Fees Collected	\$0.00

Town Clerk

October 2016

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 27.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 157.50
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 1,545.78
Amount Paid To Supervisor	\$ 3,117.44
TOTAL AMOUNT REMITTED	\$ 4,847.72

Continued Public Hearing: 2017 Preliminary Budget

A motion was made by Supervisor Monaghan, seconded by Councilman Basile, and unanimously carried by a voice vote of those board members present to close the continued public hearing on the 2017 Preliminary Budget.

A motion was made by Supervisor Monaghan, seconded by Councilman Basile, and carried by a roll call vote to make changes to the preliminary budget by taking \$60,000.00 from the Highway Reserve Fund (for repairs to highway roads) for the 2017 Budget.

The following roll call vote was taken and the motion **carried**.

	Yea	Nay	Abstain	Absent
Supervisor Monaghan	[x]	[]	[]	[]

Councilman Basile	[X]	[]	[]	[]
Councilman White	[]	[X]	[]	[]
Councilman Javenes	[x]	[]	[]	[]
Councilman Puccio	[x]	[]	[]	[]

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes, to make the following revisions to the existing 2017 Preliminary Budget to stay under the cap:

Fund	Account / Description	Increase	Decrease
Sewer	S8130.2 - EQUIPMENT-TREATMENT & DISPOSAL		(50,000.00)
General	A599 - APPROPRIATED FUND BALANCE	230,000.00	
General	A1355.2 - ASSESSOR-EQUIP.		(1,400.00)
General	A20.405 - BUILDINGS-RHO		(11,600.00)
General	A3120.2 - POLICE-EQUIPMENT - Other		(5,450.00)
General	A3510.2 - DOG WARDEN-EQUIP.		(15,000.00)
General	A9901 - INTERFUND TRANSFER EXP		(52,777.00)
Highway	D5001 Interfund transfer in	155,000.00	-
Highway	D5110.4 - GENERAL EXPENSE - REG. - Other	95,000.00	
Highway	D5130.4 - EQUIPMENT/MACH.-EXPENSE - Other	60,000.00	

The following roll call vote was taken and the motion carried.

	Yea	Nay	Abstain	Absent
Supervisor Monaghan	[x]	[]	[]	[]
Councilman Basile	[X]	[]	[]	[]
Councilman White	[X]	[]	[]	[]
Councilman Javenes	[x]	[]	[]	[]
Councilman Puccio	[]	[X]	[]	[]

A motion was made by Councilman White, seconded by Councilman Javenes, to adopt the final budget as amended not to exceed the cap. If it does exceed the cap the Finance Director is directed to reduce it accordingly. The following roll call was taken and the motion carried.

Yea	Nay	Abstain	Absent
Supervisor Monaghan	[x]	[]	[]
Councilman Basile	[X]	[]	[]
Councilman White	[X]	[]	[]
Councilman Javenes	[x]	[]	[]
Councilman Puccio	[]	[X]	[]

Request – Use of Town Parks

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to allow all Veterans to use the Stony Point Town Parks with a Veteran ID card.

Request – Waive Christmas Tree Permit Fee

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to waive the Christmas tree sale permit for Wayne Hose Company.

Procurement Policy

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present;

RESOLUTION NO. 2016-19

A RESOLUTION ADOPTING THE FOLLOWING PROCEDURES AND POLICIES FOR THE TONW OF STONY POINT FOR THE PROCUREMENT OF GOODS AND SERVICES NECESSARY FOR THE IMPLEMENTATION OF PROJECTS FUNDED BY THE GOVERNOR'S OFFICE OF STORM RECOVERY OF THE NEW YORK STATE HOUSING TRUST FUND CORPORATION

WHEREAS, the Town of Stony Point has entered into a subrecipient agreement with the Governor's Office of Storm Recovery, an office of the New York State Housing Trust Fund Corporation, that provides funds for eligible Community Development Block Grant – Disaster Recovery (CDBG-DR) expenditures; and

WHEREAS, the subrecipient agreement requires procurement activities funded in whole or in part with CDBG-DR funds to be conducted in compliance with applicable United States Department of Housing and Urban Development (HUD) procurement regulations as well as applicable state and local law; and

WHEREAS, on December 26, 2013, the Office of Management and Budget (OMB) published (at 78 Federal Register 78608) the "2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" that superseded the HUD procurement provisions of 24 CFR Parts 84 and 85; and

WHEREAS, HUD has issued new procurement standards as set forth in Notice: SD-2015-01: Transition to 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance* and in Notice: CPD-16-04 Additional Transition and Implementation Guidance for Recipients of Community Planning and Development (CPD) Funds for 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*; and

WHEREAS, the Town of Stony Point desires to revise and amend its procurement procedures to be consistent with the HUD Notices on 2 CFR Part 200; and

WHEREAS, the Town of Stony Point desires to apply the amended and revised procurement procedures to future CDBG-DR procurements.

Release of Maintenance Bond – Tomlins View

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **carried** by a voice vote of those board members present, with Councilman Javenes **abstaining**, upon the recommendation of John O'Rourke (Lanc & Tully, P.C.) and Larry Brissing (Superintendent of Highways) to release the retainage money currently held for Tomlins View. These monies consist of a letter of credit in the amount of \$68,000 and \$710 being held in escrow.

Award RFP – Skate Park

The following resolution was duly offered by Supervisor Monaghan and seconded by Councilman Puccio, to wit:

**RESOLUTION AWARDING DESIGN WORK FOR
PROPOSED TOWN SKATE PARK**

WHEREAS, the Town Board, in cooperation with the Stony Point Police Athletic League ("PAL"), previously issued a Request for Proposals ("RFP") regarding the design of the proposed Skate Park in Vincent Clark Park on Beach Road in the Town of Stony Point; and

WHEREAS, the PAL has engaged in raising funds for the purpose of paying for such design work and acknowledges that the Town of Stony Point has no financial obligation in regard to the design proposal; and

WHEREAS, the RFP documents were issued and three (3) proposals were received by the April 28, 2016 deadline; and

WHEREAS, the Town and representatives of the PAL have reviewed the submissions from the three (3) design firms considering the experience, qualifications and all relevant criteria of the responding firms.

NOW THEREFORE BE IT RESOLVED, that:

Section 1. The above “WHEREAS” clauses are incorporated by reference as if fully set forth herein.

Section 2. The Town Board, upon consultation with the PAL representatives, hereby awards the design work set forth in the RFP to Grindline Skatepark Design & Construction (“Grindline”).

Section 3. This Resolution shall not authorize the expenditure of any Town funds nor create any financial obligation on the part of the Town regarding the proposed design work and any and all such payments for services shall be paid solely by the PAL.

Section 4. This Resolution awards only the proposed design work as set forth in the terms of the RFP and does not authorize any work on Town property or any construction or other disturbance to Town property.

Section 5. The Town Clerk is hereby authorized and directed to notify Grindline of the award by providing a copy of this Resolution.

Section 6. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Supervisor Monaghan	[X]	[]	[]	[]
Deputy Supervisor Javenes	[X]	[]	[]	[]
Deputy Supervisor Basile	[X]	[]	[]	[]
Councilperson White	[]	[X]	[]	[]
Councilperson Puccio	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

Approve – Special Counsel

A motion was made by Supervisor Monaghan, seconded by Councilman White, and carried by a voice vote:

AUTHORIZING LEGAL SERVICES BY SPECIAL TOWN COUNSEL IN LITIGATION AGAINST THE TOWN OF STONY POINT

WHEREAS, the Town of Stony Point (“Town”) is currently represented by Special Counsel, FEERICK LYNCH MacCARTNEY & NUGENT PLLC to represent the Town of Stony Point in certain legal matters; and

WHEREAS, the Joint Regional Sewer Board (“JRSB”) has commenced litigation against the Town of Stony Point and the Town of Stony Point Town Board under Index Number 034619/2016, in the Supreme Court of the State of New York, County of Rockland; and

WHEREAS, the Town requires legal counsel to undertake representation of the Town in this litigation; and

NOW, THEREFORE, be it is resolved as follows:

Section 1. Special Counsel, FEERICK LYNCH MacCARTNEY & NUGENT, PLLC, is authorized to appear and defend the Town and shall be compensated for all services performed for the Town with regard to the aforesaid action against the Town of Stony Point, et al., under Index Number 034619/2016, at the hourly rate of \$250. Such services will be paid separate and apart from those services for which Special Counsel has previously been retained to handle for the Town.

Section 2. This Resolution shall be effective immediately.

EXECUTIVE SESSION

At 9:05 pm a motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **carried** by a voice vote of all board members present to adjourn into executive session to review legal matters.

ADJOURN

The November 9, 2016 Stony Point Town Board meeting adjourned at 9:45 pm. and no further votes were taken.

Respectfully submitted

Barbara Oyer, Deputy Town Clerk